IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.13384 of 2006

Dated: July 3, 2006

Between:

P. Vykuntam, S/o. P. Appa Rao, aged 45 years,
Occ: Generator Operator, Sri Pydithalli
Ammavari Temple, Vizianagaram.

… Petitioner

And

The Commissioner of Endowments, Government of Andhra Pradesh, Tilak Nagar, Hyderabad, and three others.

… Respondents

Order:

This writ petition has been filed seeking a Writ of Mandamus to declare the action of the first respondent in not considering the case of the petitioner for fixation of pay scale to the post of Generator Operator (Technical) though the fourth respondent recommended the case of the petitioner to fix his pay scale on par with Generator Operator, as illegal and arbitrary and a consequential direction to the respondents

is sought to consider the representation of the petitioner dated 05-01-2006 and fix the pay scale accordingly.

2. Heard the learned counsel for the petitioner and the learned Government Pleader appearing on behalf of the respondents.

3. The petitioner was initially appointed in the fourth respondent temple as Non-technical Mastry on 14-12-1998. Subsequently, the first respondent, on the recommendation of the fourth respondent, accorded permission for sanction of post of Generator Operator-cum-Non technical Mastry in the scale of pay of Rs.810-25-1060-30-1120 by proceedings dated 17-06-1996 and the petitioner was extended the said scale of pay. It is the case of the petitioner that his services were regularized in the post of Generator Operator. It is stated that that the first respondent, instead of sanctioning the pay scale attached to the post of Generator Operator (Technical), fixed pay scale attached to Generator Operator (Non-technical), though he is qualified and is discharging technical duties. The grievance of the petitioner is that though he submitted an application to the first respondent, through the fourth respondent, to fix his pay scale as Generator Operator (Technical), and the fourth respondent, by his proceedings dated 18-03-1998, requested the first respondent to sanction the scale of pay of Rs.1875-50-2075-60-2375-75-270-90-3200-110-3750, no action whatsoever has been taken till date.

4. Learned counsel for the petitioner contends that the nature of the duties discharged by the petitioner are purely technical and therefore he is entitled for the scale of pay, as recommended by the fourth respondent, by his proceedings dated 18-03-1998.

5. On the other hand, learned Government Pleader, on instructions,

submits that proposals are still pending and no decision has been taken yet.

6. As much as proposals are still pending and no decision has yet been taken by the competent authority, the Commissioner of Endowments, I dispose of the writ petition directing the first respondent to consider the proposals sent by the fourth respondent, by his proceedings dated 18-03-1998, for extension of the pay scale of Rs.1875-50-2075-60-2375-75-270-90-3200-110-3750 to the petitioner, and pass appropriate orders, preferably within two months from the date of receipt of this order.

7. The writ petition is disposed of with the above observations. No order as to costs.

JUSTICE R. SUBHASH REDDY.

July 3, 2006
MRR